

# **Drought Contingency Plan for a Wholesale Public Water Supplier**

Texas Commission on Environmental Quality

Instructions: The following form is a model of a drought contingency plan for a wholesale public water supplier. Not all items may apply to your system's situation. This form is supplied for your convenience, but you are not required to use this form to submit your plan to the TCEQ. Submit completed plans to: Water Supply Division MC 160, TCEQ, P.O. Box 13087, Austin TX 78711-3087.

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(Name of Utility)

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(Address, City, Zip Code)

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(CCN#)

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(PWS #s)

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(Date)

## **Section I: Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the \_\_\_\_\_ (name of your water supplier) adopts the following Drought Contingency Plan (the Plan).

## **Section II: Public Involvement**

Opportunity for the public and wholesale water customers to provide input into the preparation of the Plan was provided by \_\_\_\_\_ (name of your water supplier) by means of \_\_\_\_\_ (describe methods used to inform the public and wholesale customers about the preparation of the plan and opportunities for input; for example, scheduling and providing public notice of a public meeting to accept input on the Plan).

### **Section III: Wholesale Water Customer Education**

The \_\_\_\_\_ (name of your water supplier) will periodically provide wholesale water customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of \_\_\_\_\_ (e.g., describe methods to be used to provide customers with information about the Plan; for example, providing a copy of the Plan or periodically including information about the Plan with invoices for water sales).

### **Section IV: Coordination with Regional Water Planning Groups**

The water service area of the \_\_\_\_\_ (name of your water supplier) is located within the \_\_\_\_\_ (name of regional water planning area or areas) and the \_\_\_\_\_ (name of your water supplier) has provided a copy of the Plan to the \_\_\_\_\_ (name of your regional water planning group or groups).

### **Section V: Authorization**

The \_\_\_\_\_ (designated official; for example, the general manager or executive director), or his/her designee, is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The \_\_\_\_\_, or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

### **Section VI: Application**

The provisions of this Plan shall apply to all customers utilizing water provided by the \_\_\_\_\_ (name of your water supplier). The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

### **Section VII: Criteria for Initiation and Termination of Drought Response Stages**

The \_\_\_\_\_ (designated official), or his/her designee, shall monitor water supply and/or demand conditions on a (e.g., weekly, monthly) basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Customer notification of the initiation or

termination of drought response stages will be made by mail or telephone. The news media will also be informed.

The triggering criteria described below are based on:

\_\_\_\_\_ (provide a brief description of the rationale for the triggering criteria; for example, triggering criteria are based on a statistical analysis of the vulnerability of the water source under drought of record conditions).

### **Stage 1 Triggers -- MILD Water Shortage Conditions**

Requirements for initiation – The \_\_\_\_\_ (name of your water supplier) will recognize that a mild water shortage condition exists when \_\_\_\_\_ (describe triggering criteria, see examples below).

*Below are examples of the types of triggering criteria that might be used in a wholesale water supplier's drought contingency plan. One or a combination of such criteria may be defined for each drought response stage:*

**Example 1:** *Water in storage in the \_\_\_\_\_ (name of reservoir) is equal to or less than \_\_\_\_\_ (acre-feet and/or percentage of storage capacity).*

**Example 2:** *When the combined storage in the \_\_\_\_\_ (name of reservoirs) is equal to or less than \_\_\_\_\_ (acre-feet and/or percentage of storage capacity).*

**Example 3:** *Flows as measured by the U.S. Geological Survey gage on the \_\_\_\_\_ (name of river) near \_\_\_\_\_, Texas reaches \_\_\_\_\_ cubic feet per second (cfs).*

**Example 4:** *When total daily water demand equals or exceeds \_\_\_\_\_ million gallons for \_\_\_\_\_ consecutive days or \_\_\_\_\_ million gallons on a single day.*

**Example 5:** *When total daily water demand equals or exceeds \_\_\_\_\_ percent of the safe operating capacity of \_\_\_\_\_ million gallons per day for \_\_\_\_\_ consecutive days or \_\_\_\_\_ percent on a single day.*

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of \_\_\_\_\_ (e.g., 30) consecutive days. The \_\_\_\_\_ (name of water supplier) will notify its wholesale customers and the media of the termination of Stage 1 in the same manner as the notification of initiation of Stage 1 of the Plan.

## Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for initiation – The \_\_\_\_\_ (name of your water supplier) will recognize that a moderate water shortage condition exists when \_\_\_\_\_ (describe triggering criteria).

Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of \_\_\_\_ (e.g., 30) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative. The \_\_\_\_\_ (name of your water supplier) will notify its wholesale customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 1 of the Plan.

## Stage 3 Triggers -- SEVERE Water Shortage Conditions

Requirements for initiation – The \_\_\_\_\_ (name of your water supplier) will recognize that a severe water shortage condition exists when \_\_\_\_\_ (*describe triggering criteria; see examples in Stage 1*).

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of \_\_\_\_ (e.g., 30) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative. The \_\_\_\_\_ (name of your water supplier) will notify its wholesale customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 3 of the Plan.

## Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Requirements for initiation - The \_\_\_\_\_ (name of your water supplier) will recognize that an emergency water shortage condition exists when \_\_\_\_\_ (*describe triggering criteria; see examples below*).

***Example 1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or***

***Example 2. Natural or man-made contamination of the water supply source(s).***

Requirements for termination - Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of \_\_\_\_ (e.g., 30) consecutive days. The \_\_\_\_\_ (name of your water supplier) will notify its wholesale customers and the media of the termination of Stage 4.

## Section VIII: Drought Response Stages

The \_\_\_\_\_ (designated official), or his/her designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria set forth in Section VI, shall determine that mild, moderate, or severe water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

### Stage 1 Response -- MILD Water Shortage Conditions

\_\_\_\_\_ **Target:** Achieve a voluntary \_\_\_\_ percent reduction in \_\_\_\_\_ (e.g., total water use, daily water demand, etc.).

\_\_\_\_\_ **Best Management Practices for Supply Management:**

*Describe additional measures, if any, to be implemented directly by \_\_\_\_\_ (designated official), or his/her designee(s), to manage limited water supplies and/or reduce water demand. Examples include modifying reservoir operations procedures, interconnection with another water system, and use of reclaimed water for non-potable purposes.*

Water Use Restrictions for Reducing Demand:

(a) The \_\_\_\_\_ (designated official), or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use (e.g., implement Stage 1 of the customer's drought contingency plan).

(b) The \_\_\_\_\_ (designated official), or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

### Stage 2 Response -- MODERATE Water Shortage Conditions

\_\_\_\_\_ **Target:** Achieve a \_\_\_\_ percent reduction in \_\_\_\_\_ (e.g., total water use, daily water demand, etc.).

\_\_\_\_\_ **Best Management Practices for Supply Management:**

*Describe additional measures, if any, to be implemented directly by \_\_\_\_\_ (designated official), or his/her designee(s), to manage limited water supplies and/or reduce water demand. Examples include modifying reservoir operations procedures,*

*interconnection with another water system, and use of reclaimed water for non-potable purposes.*

**Water Use Restrictions for Reducing Demand:**

- (a) The \_\_\_\_\_ (designated official), or his/her designee(s), will initiate weekly contact with wholesale water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.
- (b) The \_\_\_\_\_ (designated official), or his/her designee(s), will request wholesale water customers to initiate mandatory measures to reduce non-essential water use (e.g., implement Stage 2 of the customer's drought contingency plan).
- (c) The \_\_\_\_\_ (designated official), or his/her designee(s), will initiate preparations for the implementation of pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each wholesale customer according to the procedures specified in Section VI of the Plan.
- (d) The \_\_\_\_\_ (designated official), or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

**Stage 3 Response -- SEVERE Water Shortage Conditions**

**Target: Achieve a \_\_\_\_ percent reduction in \_\_\_\_\_ (e.g., total water use, daily water demand, etc.).**

**Best Management Practices for Supply Management:**

*Describe additional measures, if any, to be implemented directly by \_\_\_\_\_ (designated official), or his/her designee(s), to manage limited water supplies and/or reduce water demand. Examples include modifying reservoir operations procedures, interconnection with another water system, and use of reclaimed water for non-potable purposes.*

**Water Use Restrictions for Reducing Demand:**

- (a) The \_\_\_\_\_ (designated official), or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate additional mandatory measures to reduce

non-essential water use (e.g., implement Stage 2 of the customer's drought contingency plan).

(b) The \_\_\_\_\_ (designated official), or his/her designee(s), will initiate pro rata curtailment of water diversions and/or deliveries for each wholesale customer according to the procedures specified in Section VI of the Plan.

(c) The \_\_\_\_\_ (designated official), or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

#### **Stage 4 Response -- EMERGENCY Water Shortage Conditions**

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the \_\_\_\_\_ (designated official) shall:

1. Assess the severity of the problem and identify the actions needed and time required to solve the problem.
2. Inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (e.g., notification of the public to reduce water use until service is restored).
3. If appropriate, notify city, county, and/or state emergency response officials for assistance.
4. Undertake necessary actions, including repairs and/or clean-up as needed.
5. Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

#### **Section IX: Pro Rata Water Allocation**

In the event that the triggering criteria specified in Section VII of the Plan for Stage 3 – Severe Water Shortage Conditions have been met, the \_\_\_\_\_ (designated official) is hereby authorized initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039.

## **Section X: Enforcement**

During any period when pro rata allocation of available water supplies is in effect, wholesale customers shall pay the following surcharges on excess water diversions and/or deliveries:

- \_\_\_\_\_ times the normal water charge per acre-foot for water diversions and/or deliveries in excess of the monthly allocation up through 5 percent above the monthly allocation.
- \_\_\_\_\_ times the normal water charge per acre-foot for water diversions and/or deliveries in excess of the monthly allocation from 5 percent through 10 percent above the monthly allocation.
- \_\_\_\_\_ times the normal water charge per acre-foot for water diversions and/or deliveries in excess of the monthly allocation from 10 percent through 15 percent above the monthly allocation.
- \_\_\_\_\_ times the normal water charge per acre-foot for water diversions and/or deliveries more than 15 percent above the monthly allocation.

The above surcharges shall be cumulative.

## **Section XI: Variances**

The \_\_\_\_\_ (designated official), or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the \_\_\_\_\_ (designated official) within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the \_\_\_\_\_ (governing body), and shall include the following:



- (a) Name and address of the petitioner(s).
- (b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (c) Description of the relief requested.
- (d) Period of time for which the variance is sought.
- (e) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (f) Other pertinent information.

Variances granted by the \_\_\_\_\_ (governing body) shall be subject to the following conditions, unless waived or modified by the \_\_\_\_\_ (governing body) or its designee:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

## **Section XII: Severability**

It is hereby declared to be the intention of the \_\_\_\_\_ (governing body of your water supplier) that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the \_\_\_\_\_ (governing body of your water supplier) without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.